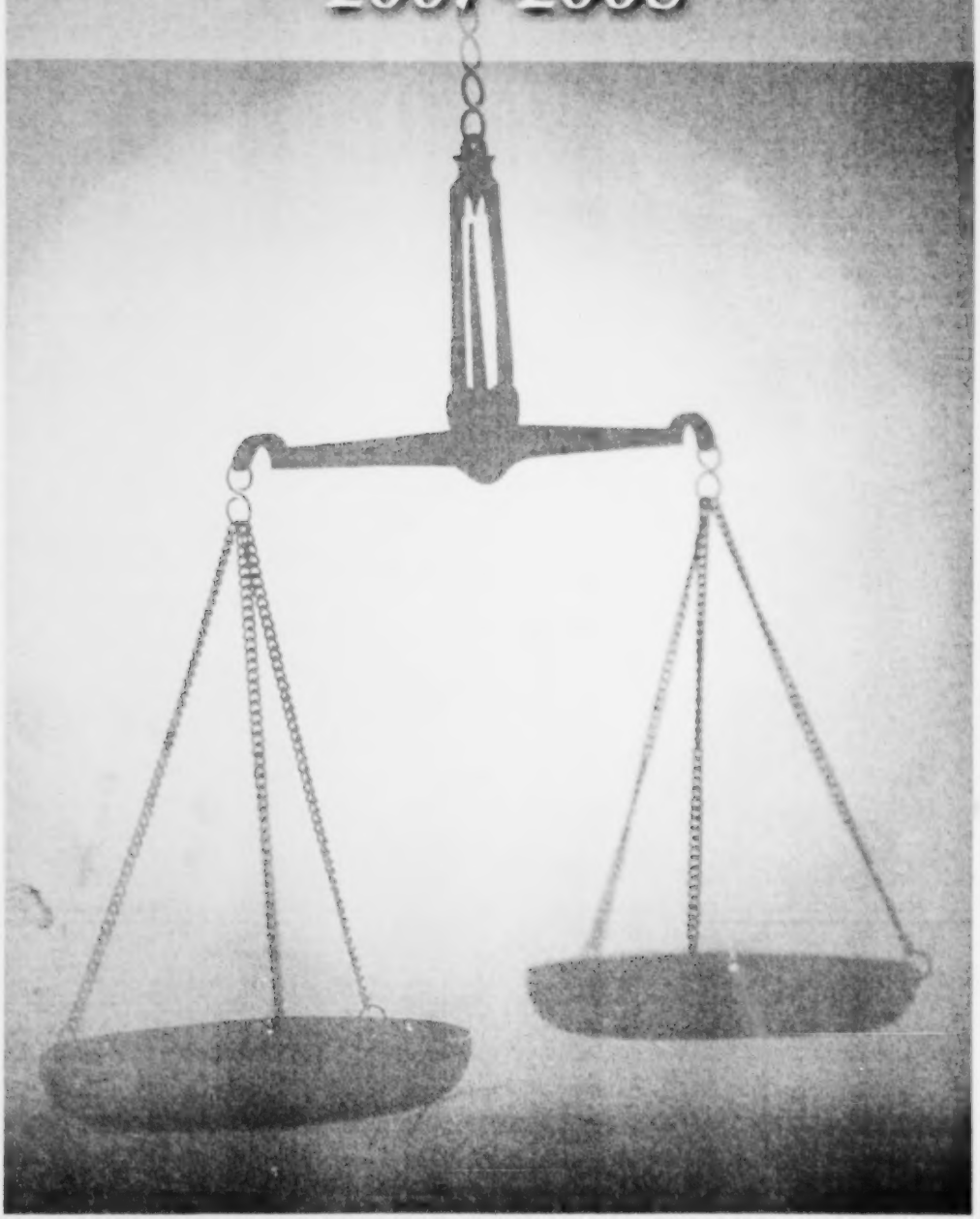
Prince Edward Island
CANADA

Office of the Attorney General

Victims of Crime Act Annual Report 2007-2008



Nineteenth Annual Report

Victims of Crime Act
R.S.P.E.I. 1988, Cap. V-3.1

April 1, 2007 – March 31, 2008

Prince Edward Island Office of the Attorney General
PO Box 2000, Charlottetown, PE C1A 7N8

Office of the
Attorney General

Bureau du
procureur général

Attorney General
PO Box 2000, Charlottetown
Prince Edward Island
Canada C1A 7N8

Procureur général
C.P. 2000, Charlottetown
Île-du-Prince-Édouard
Canada C1A 7N8

September 2008

The Honourable Barbara A. Hagerman
Lieutenant Governor
Province of Prince Edward Island

May it Please Your Honour:

I have the honour to submit the Nineteenth Annual Report of the administration of the *Victims of Crime Act*, R.S.P.E.I. 1988, Cap. V-3.1 pursuant to Section 36 of the act, for the fiscal year ended March 31, 2008.

Respectfully submitted,

Gerard Greenan
Attorney General

Table of Contents

Executive Summary 1

Résumé 3

Part I Introduction 5

Part II Report of the Victim Services Advisory Committee 6

Part III Report of the Victim Services Program 10

Part IV Report of the Criminal Injuries Compensation Program 20

Part V Victim Assistance Fund 24

Executive Summary

Trends in Client Demand

- There were 1,031 new cases referred to Victim Services in 2007/2008, in addition to approximately 737 cases carried forward from the previous year. As of March 31, 2008, there were 668 active cases across the province. The average monthly caseload has increased from 433 cases per month in 1999/2000 to 707 cases per month in 2007/2008.
- In 2007/2008, Victim Services assisted in the preparation and filing of 244 victim impact statements. Over the past 10 years, the number of victim impact statements filed has ranged from 157 to 340.
- Since 1999/2000, applications for Criminal Injury Compensation have fluctuated in the range of 20 to 61 applications per year, with an average of 42 applications annually. During the fiscal year 2007/2008, 34 new applications for criminal injuries compensation were filed. One hundred and six applications were carried over from the previous year. Thirty-four final decisions and three interim decisions were made in 2007/2008. A total of $102,351 was awarded in criminal injury compensation.
- In 2007/2008, there were 60 applications for Emergency Protection Orders under the *Victims of Family Violence Act*. Utilization of the *Victims of Family Violence Act* has increased over the past four years as a result of police refresher training. Since the proclamation of the act in December 1996, there have been a total of 465 Emergency Protection Orders granted.

Offence Type and Offender Information

- The most frequent types of crime for Victim Services cases in 2007/2008 were:
  - assaults (37 percent),
  - thefts (12 per cent),
  - break and enter (nine per cent),
  - wilful damage (eight per cent),
  - uttering threats (seven per cent),
  - sexual assaults (five per cent).
- In 312 cases, there was a family type relationship between the victim and the suspect or offender. In 291 cases, the suspect or offender was a male partner or ex-partner (either current or former husband, common-law husband or boyfriend).

Rate of Reported Crime

- Prince Edward Island's crime rate dropped 12 per cent in 2007, the fourth consecutive annual decrease and the largest decline in the country. The crime rate in Prince Edward Island was the fourth lowest rate in Canada.

- PEI's drop in crime rate in 2007 was due to decreases in all three major crime categories: the violent crime rate declined six per cent, the property crime rate decreased 12 per cent and the rate of other *Criminal Code* incidents declined 14 per cent. The decrease in PEI's violent crime rate resulted in the lowest rate of violent crime in Canada.
- Two areas showing an increase in crime rate were reported incidents of sexual assaults with a 21 per cent increase, and the rate of impaired driving which increased by four per cent. PEI's impaired driving rate is the second highest among the provinces.

Highlights and Initiatives

- With funding support from Department of Justice Canada, child friendly waiting rooms were established in each courthouse in the province.
- Initiatives were undertaken to expand services to aboriginal victims of crime, and to strengthen linkages between Victim Services, the justice system and the aboriginal community. Activities included participation in early intervention and safety circles, presentations at a number of workshops and training initiatives, and participation on a planning committee to host an Aboriginal Justice Forum in the fall of 2008.
- Victim Services, in partnership with the Provincial Child Sexual Abuse Advisory Committee, conducted a survey for the purpose of compiling an inventory of resources available to respond to the counselling and support needs of survivors of sexual assault and childhood sexual abuse.
- Efforts continued to develop a provincial response to the unique needs of victims of human trafficking, including planning for an information session to be held in the coming year to raise awareness and develop partnerships.
- Staff participated in Case Management training designed specifically for Victim Services Workers.

Sommaire

Tendances dans les demandes de clients

- 1031 cas ont été référés au Service d'aide aux victimes en 2007-2008, en plus d'environ 737 cas reportés de l'année précédente. En date du 31 mars 2008, il y avait 668 cas actifs dans la province. La charge de causes moyenne a augmenté de 433 cas par mois en 1999-2000 pour passer à 707 cas par mois en 2007-2008.
- En 2007-2008, le Service d'aide aux victimes a aidé à préparer et à déposer 244 déclarations de victime. Au cours des dix dernières années, le nombre de déclarations de victime déposé est passé de 157 à 340.
- Depuis 1999-2000, les demandes d'indemnisation des victimes d'actes criminels ont fluctué entre 20 et 61 demandes par année, la moyenne étant de 42 demandes par année. Durant l'exercice financier 2007-2008, 34 nouvelles demandes d'indemnisation des actes criminels ont été déposées, 106 ont été reportées de l'exercice précédent, 34 décisions finales et trois décisions provisoires ont été rendues. Un montant total de 102 351 $ a été adjugé en indemnisation des victimes d'actes criminels.
- En 2007-2008, on a rendu 60 ordonnances de protection d'urgence dans le cadre du *Victims of Family Violence Act* (loi sur les victimes de violence familiale). L'accroissement de l'usage de la Loi sur les victimes de violence familiale au cours des quatre dernières années est attribuable à la formation policière. Depuis la proclamation de la loi en décembre 1996, un total de 465 ordonnances de protection d'urgence ont été rendues.

Types d'infractions et renseignements sur les contrevenants

- Les types de crime les plus fréquents dans les causes traitées par le Service d'aide aux victimes ont été les suivants :
  - voies de fait (37 pour cent);
  - vols (12 pour cent);
  - introductions par effraction (neuf pour cent);
  - avaries faites avec intention (huit pour cent);
  - proférations de menaces (sept pour cent);
  - agressions sexuelles (cinq pour cent).
- Dans 312 cas, il y avait une relation familiale entre la victime et le suspect ou le contrevenant. Dans 291 cas, le suspect ou le contrevenant était un partenaire ou un ex-partenaire mâle (soit le mari actuel ou l'ex-mari, le conjoint de fait ou le petit ami).

Taux de criminalité rapporté

- À l'Île-du-Prince-Édouard, le taux de criminalité a diminué de 12 % en 2007, la quatrième année consécutive de déclin et le plus grand déclin au pays. Le taux de criminalité de l'Île-du-Prince-Édouard a été le quatrième taux le plus bas au Canada.
- La baisse du taux de criminalité à l'Î.-P.-É. en 2007 a été causée par des diminutions dans les trois catégories de crime importantes : Le taux de crimes violents a diminué de 6 %, le taux de crimes contre la propriété a diminué de 12 % et le taux des autres infractions au *Code criminel* a diminué de 14 %. La baisse du taux de crimes violents à l'Î.-P.-É. s'est soldée par le taux le plus faible de crimes violents au Canada.
- On a rapporté deux domaines d'augmentation du taux de criminalité, soit les agressions sexuelles qui ont augmenté de 21 % et le taux de conduite en état d'ébriété qui a augmenté de 4 %. Le taux de conduite avec facultés affaiblies à l'Î.-P.-É. est le quatrième plus élevé parmi les provinces.

Faits saillants et initiatives

- Grâce au soutien financier du ministère de la Justice Canada, des salles d'attente agréables pour les enfants ont été mises en place dans chaque palais de justice de la province.
- Des initiatives ont été entreprises pour étendre les services aux victimes de crime autochtones, et pour renforcer les liens entre le Service d'aide aux victimes, le système de justice et la communauté autochtone. Les activités comprenaient la participation à l'intervention précoce et aux cercles de protection, la présentation de plusieurs ateliers et initiatives de formation, et la participation au comité de planification créé pour accueillir le Forum sur la justice applicable aux Autochtones, à l'automne 2008.
- Le Service d'aide aux victimes, en collaboration avec le Comité consultatif provincial sur l'exploitation sexuelle des enfants, a mené un sondage aux fins d'inventorier les ressources disponibles pour répondre aux besoins d'orientation et de soutien des survivants d'agression sexuelle et d'exploitation sexuelle des enfants.
- On a poursuivi les efforts pour mettre au point une réponse aux besoins uniques des victimes de la traite des personnes, notamment la planification d'une séance d'information qui se tiendra au cours de l'exercice à venir afin de sensibiliser à la création de partenariats.
- Les membres du personnel ont participé à une formation en gestion de cas conçue spécialement pour les préposés du Service d'aide aux victimes.

Part I

Introduction

The *Victims of Crime Act*, R.S.P.E.I. 1988, Cap.V-3.1 was proclaimed in force September 30, 1989. Regulations and orders under the act also came into force on that date. Extensive amendments to the act came into effect August 7, 1999.

The Statement of Principles contained in Part I of the *Victims of Crime Act* sets out the following principles for the guidance of persons in providing justice for victims of crime:

(a) Victims should be treated with courtesy and compassion and with respect for their dignity, privacy and convenience.

(b) Victims should receive prompt and fair financial redress for the harm they have suffered.

(c) Victims should be informed of and should have access to services including social, medical, legal and mental health assistance.

(d) Victims should be informed about the progress of the investigation and prosecution of the offence, court procedures, the role of the victim in court proceedings and the ultimate disposition of the proceedings.

(e) Victims are entitled, where their personal interests are affected, to have their views and concerns brought to the attention of the court where consistent with criminal law and procedure.

(f) Victims and their families should be protected from intimidation, retaliation and harassment.

(g) Victims should have their stolen property returned to them as soon as possible after recovery by law enforcement authorities.

(h) Victims are entitled to prepare a victim impact statement and have it considered by the court at sentencing.

(i) Victims are entitled to be informed about the offender's status, including release dates, parole eligibility and probation terms.

The *Victims of Crime Act* also establishes the Victim Services Advisory Committee, the Victim Services Program, the Victim Assistance Fund and the Criminal Injuries Compensation Program.

Part II

Report of the Victim Services Advisory Committee

Committee Mandate

The Victim Services Advisory Committee is established under *Victims of Crime Act* with the mandate to:

(a) review existing laws, policies and procedures and recommend changes to benefit victims;

(b) assist law enforcement agencies, social agencies and other organizations with the development of guidelines that promote the principles set out in this act relating to their role in respect of victims;

(c) assist with establishing and updating procedures for the handling of complaints by victims;

(d) assist with the research, development and distribution of information pertaining to the needs, rights and concerns of victims;

(e) provide opportunities for research, discussion and resolution of issues of concern to victims; and

(f) advise on other matters that the Minister may refer to the committee for consideration.

The committee may make recommendations to the Minister relating to:

(a) the development of policies and legislation respecting assistance to victims;

(b) the provision of services, including criminal injuries compensation, to victims; and

(c) any other matters that the Minister refers to the committee for its recommendation.

Committee Membership and Meetings

Members of the Victim Services Advisory Committee as of March 31, 2008, and the organizations they represent are as follows:

Donna Langille	Community Legal Information Association
Lisa Murphy	Advisory Council on the Status of Women
Yolande Richard	Law Society of Prince Edward Island
Lisa Goulden	Crown Attorneys
Sigrid Rolfe	PEI Rape and Sexual Assault Crisis Centre
Karen MacDonald	Community Programs, Office of the Attorney General
Joan Cummings	Seniors Active Living Centre
Chief Lewis Sutherland	PEI Association of Chiefs of Police
Sgt. Mike Murphy	RCMP "L" Division
Cindy Banks	Transition House Association
Sarah Stewart	PEI Association of Newcomers to Canada

The committee is assisted in its operations by the Victim Services Provincial Manager and Secretary. The Director of Justice Policy Division, Office of Attorney General, and the Adjudicator for Criminal Injury Compensation with Legal Services Division also provide assistance and information to the committee.

During the 2007/2008 fiscal year, the Victim Services Advisory Committee held quarterly meetings in June, September, January and March. The committee was co-chaired by Donna Langille and Lisa Murphy. The activities of the committee during 2007/2008 included the following:

Services for Survivors of Sexual Assault

The committee endorsed a proposal to seek funding to identify the needs of victims of sexual assault, in particular the needs of specific under-served populations. The work will be co-ordinated with the Provincial Child Sexual Abuse Advisory Committee and will include a statistical overview of reported cases of sexual assault in PEI, an inventory of existing services and supports for sexual assault victims, and a best practice review of programs specific to male survivors.

Family Violence Outreach

An issue was brought to the attention of the committee related to high numbers of women in West Prince who access the Family Violence Outreach Services of Transition House Association. Concern was raised that these numbers do not correspond with the number of cases coming before the justice system. The issue was further explored to identify barriers to involving the justice system in situations of family violence. A number of follow-up areas were identified, including information sessions for police officers at detachment meetings,

to clarify roles of various justice system and community organizations.

Federal Ombudsman for Victims of Crime

In 2007, the Victim Services Advisory Committee received information on the establishment of the Office of the Federal Ombudsman for Victims of Crime.

The mandate of the Federal Ombudsman relates exclusively to matters of federal responsibility and includes:

- facilitating access of victims to existing federal programs and services by providing them with information and referrals;
- addressing complaints of victims about compliance with the provisions of the *Corrections and Conditional Release Act* that apply to victims of offenders under federal supervision and providing an independent resource for those victims;
- enhancing awareness among criminal justice personnel and policy makers of the needs and concerns of victims and the applicable laws that benefit victims of crime; and
- identifying emerging issues and exploring systemic issues that impact negatively on victims of crime.

Guest Speakers

The committee invited guest speakers on a number of topics:

- Tarry Hewitt, Project Co-ordinator, Aboriginal Survivors for Healing (ASH) provided an overview of the ASH organization and information about the Indian Residential School Settlement Agreement, including anticipated implications which could result in increased rates of victimization.
- Zeff Zaat, Co-ordinator of the Multicultural Program, PEI Association of Newcomers to Canada, presented on the programs and services offered by the association and provided information on the immigrant population in PEI.
- Edison Shea, Deputy Attorney General, highlighted issues and initiatives currently under discussion at the Federal/Provincial Territorial Ministers Responsible for Justice meetings, and identified some of the potential impacts for the province.
- Karen MacDonald provided an overview of research being undertaken provincially, and in the Atlantic Region, to assess the impacts of proposed legislative amendments.

Information Items

A number of information items were brought to the attention of the Victim Services Advisory Committee during the year. Some of these included:

- reports from meetings of the F/P/T Ministers of Justice; and the F/P/T Working Group on Victims of Crime;
- amendments to federal legislation which have implications for victims and witnesses;
- research on Family Violence, Firearms and Animal Abuse;

- public consultations on Draft Framework for PEI Youth Substance Use and Addictions Strategy;
- public consultations to review the *Child Protection Act*;
- Environmental Scan re Social Housing Needs;
- Court Services: Interpretation and Translation Policy;
- establishment of child friendly waiting rooms in each courthouse in the province;
- provincial and Atlantic region initiatives in response to human trafficking;
- National Victim of Crime Awareness Week activities – April 22-28, 2007;
- World Elder Abuse Awareness Day – June 15, 2007;
- Family Violence Prevention Week;
- Purple Ribbon Campaign;
- New Brunswick/PEI Criminal Justice Association Workshop;
- Atlantic Crime Prevention Conference;
- Canadian Centre for Justice Statistics Reports
  - *Canada's Shelters for Abused Women, 2005/2006*
  - *Crime Statistics in Canada, 2005 and 2006*
  - *Prince Edward Island Crime Statistics, 2006*
  - *Family Violence in Canada: A Statistical Profile, 2007*
  - *Victim Services in Canada, 2005/2006*
  - *Police Resources in Canada, 2007*
  - *Homicide in Canada, 2006*
  - *Female Offenders in Canada*
  - *Firearms and Violent Crime*
  - *Sexual Orientation and Victimization, 2004*

Respectfully submitted,

Donna Langille

Donna Langille, Co-chair

Lisa Murphy

Lisa Murphy, Co-chair

Part III

Report of the Victim Services Program

Victim Services has provided a criminal justice system-based service to victims of crime province-wide since April 1989. The system-based approach developed on Prince Edward Island has the following key attributes:

- operates within the criminal justice system, but independently from the police, Crown attorneys or the courts;
- is client-centred;
- maintains close working relationships with criminal justice personnel and community agencies;
- assists victims of crime at all stages of the criminal justice process; and
- uses an outreach approach.

Mandate

Section 7 of the *Victims of Crime Act* states that the purpose of Victim Services is:

(a) to assist victims as needed throughout their contacts with the criminal justice system;

(b) to help victims to access other needed services;

(c) to receive applications for criminal injuries compensation and investigate claims on behalf of the Minister;

(d) to assist with the preparation and filing of victim impact statements;

(e) to assist justice personnel and community agencies in providing services to victims; and

(f) to promote the Statement of Principles set out in section 2 of the act.

Mission Statement

Victim Services provides a client-centred service for victims of crime, ensuring respect for their dignity and privacy. Victim Services assists clients throughout their involvement with the criminal justice process.

Vision Statement

Victims Services' vision is that:

- all victims of crime on Prince Edward Island who require assistance through the criminal justice process will be referred at the earliest opportunity to Victim Services; and
- the response of all criminal justice personnel will be guided by the Statement of Principles in the *Victims of Crime Act*.

Goals

Victim Services goals are:

- to provide prompt, effective assistance to victims of crime, especially victims of crimes against the person, but not excluding any victim who needs assistance through the criminal justice process;
- to tailor the assistance provided to meet the needs of the particular client;
- to provide services to any victim of crime requiring assistance, regardless of their geographic location on Prince Edward Island;
- to investigate criminal injuries compensation claims and complete the case analysis for each claim as quickly as possible;
- by working collaboratively with the police and Crown attorneys, to ensure that all victims of crimes in which charges are laid are informed of their right to prepare and file a victim impact statement;
- to ensure that victims understand the implications of preparing and filing a victim impact statement and do so voluntarily; and
- to promote the use of the *Victims of Family Violence Act* in appropriate cases.

Statistical Overview

Assistance provided to victims of crime includes:

- information about case status, the criminal justice system and court procedures;
- emotional support and short-term counselling;
- referrals for legal, financial and long-term counselling services;
- assistance through the court process and with preparation of victim impact statements;
- investigation of applications for criminal injuries compensation; and
- assistance under the *Victims of Family Violence Act*.

Victim Services cases are categorized in the following classifications: general, sexual abuse, wife abuse, other family abuse and commercial/institutional. The percentage breakdown of new cases by case classification in 2007/2008, and a comparison with previous years, are noted as follows:

Victim Services New Cases

	Per Cent Breakdown		
Type of Client	**2005/06**	**2006/07**	**2007/08**
General*	55	53	50
Wife Abuse	28	25	29
Other Family Abuse	8	10	9
Sexual Abuse	5	6	5
Commercial/ Institutional	4	6	7

** General includes break and enter, damage to property, theft, general assaults, etc.*

The following table illustrates the total and percentage of each type of case opened in 2007/2008. The table also indicates the police agency involved with each case.

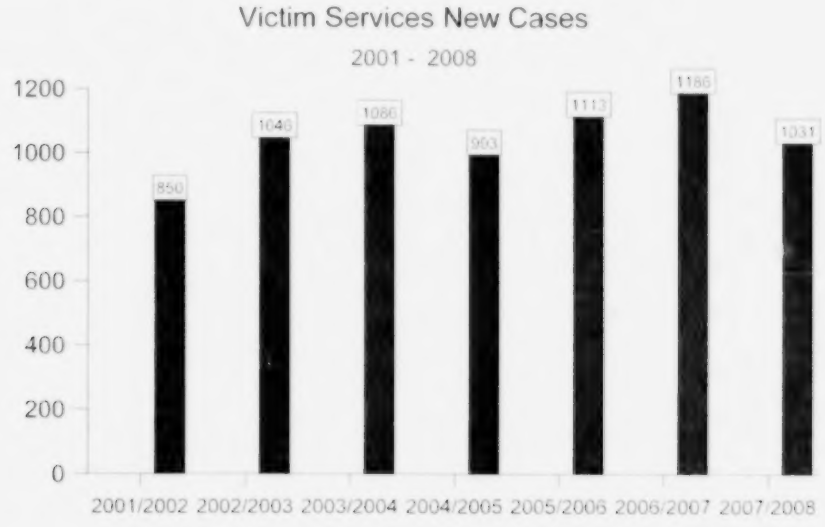
Table I

Victim Case Classification: New Cases
2007/2008

Police Jurisdiction	General	Sexual Abuse	Wife Abuse	Other Family Abuse	Commercial/ Institutional	Total
Alberton RCMP	44	4	26	13	4	91
Borden PD	3	0	2	0	1	6
Charlottetown PD	174	10	103	14	1	302
Charlottetown RCMP	73	14	55	24	3	169
Kensington PD	4	1	1	0	4	10
Montague RCMP	60	7	38	26	0	131
Summerside RCMP	26	3	30	6	14	79
Summerside PD	117	10	32	8	47	214
Souris RCMP	9	0	9	1	0	19
Out of Province/Other	2	2	3	2	1	10
Totals	**512**	**51**	**299**	**94**	**75**	**1031**
Percentile	**50**	**5**	**29**	**9**	**7**	**100**

Caseload Trends

There were 1,031 new cases referred in 2007/2008, in addition to approximately 737 cases carried forward from the previous year. As of March 31, 2008, there were 668 active cases across the province.



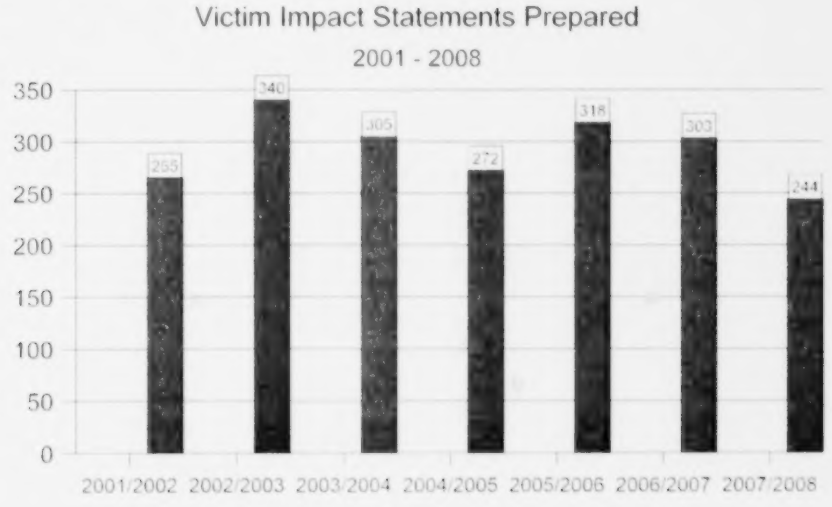
Rate of Reported Crime

- Prince Edward Island's crime rate dropped 12 per cent in 2007, the fourth consecutive annual decrease and the largest decline in the country. The crime rate in Prince Edward Island was the fourth lowest rate in Canada.
- PEI's drop in crime rate in 2007 was due to decreases in all three major crime categories: the violent crime rate declined six per cent, the property crime rate decreased 12 per cent, and the rate of other *Criminal Code* incidents declined 14 per cent. The decrease in PEI's violent crime rate resulted in the lowest rate of violent crime in Canada.
- Two areas showing an increase in crime rate were: reported incidents of sexual assaults with a 21 per cent increase, and the rate of impaired driving which increased by four per cent. PEI's impaired driving rate is the second highest among the provinces.

Victim Impact Statements

Since 1989, Victim Services has been designated by Lieutenant-Governor-in-Council as the program responsible for preparing and filing victim impact statements. Victim impact statements outline the physical, emotional and financial effects of the crime on the victim. After determination of guilt, the judge takes victim impact statements into consideration when deciding on sentence.

In 2007/2008, 244 victim impact statements were prepared and filed with the court. The trends since 2001 are illustrated in the graph below:



Offence Type and Offender Information

Assaults, including all levels of assault from common assault to aggravated assault, continue to be the most frequent type of crime in Victim Services' cases, representing 37 per cent of the new cases in 2007/02008. The next most frequent types of crime for Victim Services cases were: thefts (12 per cent), break and enter (nine per cent), wilful damage (eight per cent), uttering threats (seven per cent) and sexual assaults (five per cent).

In 312 cases, there was a family type relationship between the victim and the suspect or offender. In 291 cases, the suspect or offender was a male partner or ex-partner (either current or former husband, common-law husband or boyfriend).

The proportion of Victim Services clients victimized by adult offenders compared with young offenders has been quite consistent over the years. In 90 per cent of new cases in 2007/2008, the offenders were adults. In 10 per cent of new cases, the offenders were youth.

Age Range and Gender of Victims

Age ranges of Victim Services' new clients were as follows:

under 12 years	2%
12 to 20 years	14%
21 to 40 years	33%
41 to 60 years	18%
61 years and over	5%
unknown/not recorded	28%

Sixty-eight percent of Victim Services' new clients were females and 32 per cent males.

Criminal Injuries Compensation

Under the *Victims of Crime Act*, Victim Services is responsible for investigating claims for criminal injuries compensation. Victim Services staff also assist victims with preparing their applications and gathering information to support their claims. Victim Services staff prepare a case analysis regarding each claim.

Designated persons within the Legal Services Division of the Office of Attorney General are responsible for adjudicating claims and writing a report, including recommendations, to the Attorney General who makes decisions regarding claims.

During the fiscal year 2007/2008, 34 new applications for criminal injuries compensation were filed. One hundred and six applications were carried over from the previous year. Thirty-four final decisions and three interim decisions were made in 2007/2008. A total of $102,351 was awarded in criminal injury compensation. Further information and statistics regarding criminal injuries compensation are contained in Part IV of the Annual Report.

Victims of Family Violence Act

The *Victims of Family Violence Act* came into effect in December 1996. This provincial law addresses the need for victims to stay in their own homes, provides an additional remedy to supplement the Criminal Code, and enables the justice system to provide a more effective and timely response. Under this act,

Emergency Protection Orders are available 24 hours/day from designated justices of the peace. In non-emergency situations, longer-term Victim Assistance Orders are available by application to the Supreme Court.

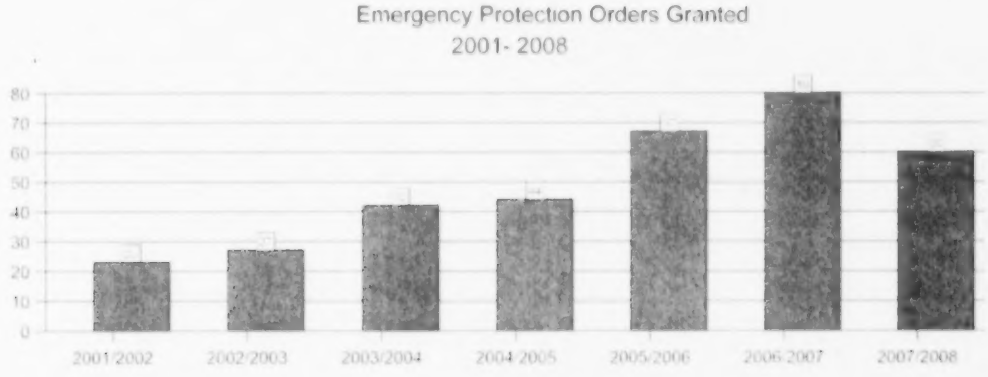
Victim Services staff assist with training and ongoing monitoring and promotion of the use of the *Victims of Family Violence Act*. Police officers and victim services workers are designated under the act to make application for emergency protection orders.

In 2007/2008, there were 60 applications for Emergency Protection Orders under the *Victims of Family Violence Act*, and 58 orders were granted. Orders ranged from 30 days to 90 days in duration, with an average length of 50 days. Of the 58 orders granted, four were terminated at the victim's request, and seven were varied. Reasons for variations relate primarily to child access and visitation arrangements. Also in 2007/2008, there were seven applications for victim assistance orders.

Since the proclamation of the act in December 1996, there have been a total of 465 Emergency Protection Orders granted. The trends since 2001 are illustrated in the graph below.

A Steering Committee continues to meet on a regular basis to assist in monitoring and training related to the act. This effort has resulted in an increase in the number of applications for Emergency Protection Orders over the past three years.

In partnership with the PEI Association of Chiefs of Police, the Steering Committee has continued to offer annual police training to implement a standardized response to reported incidents of domestic violence, and to enhance knowledge about risk factors and available options to protect victims. Focus groups with front-line officers and police supervisors were also co-ordinated to seek input on the implementation of new forms and processes.



Victim Services Program Highlights

Trends in Client Demand

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Highlights and Initiatives:

- With funding support from Department of Justice Canada, child friendly waiting rooms were established in each courthouse in the province.
- Initiatives were undertaken to expand services to aboriginal victims of crime, and to strengthen linkages between Victim Services, the justice system and the aboriginal community. Activities included participation in early intervention and safety circles, presentations at a number of workshops and training initiatives, and participation on planning committee to host an Aboriginal Justice Forum in the fall of 2008.
- Victim Services, in partnership with the Provincial Child Sexual Abuse Advisory Committee, conducted a survey for the purpose of compiling an inventory of resources available to respond to the counselling and support needs of survivors of sexual assault and childhood sexual abuse.
- Efforts continued to develop a provincial response to the unique needs of victims of human trafficking, including planning for an information session to be held in the coming year to raise awareness and develop partnerships.
- Victim Services participated in a number of initiatives to enhance the justice system response to high-risk offenders, including participation in a review of the High-risk Offender Guidelines; a review of the Community and Correctional Services Case Management Policy for Adult Offenders; and participation in Circles of Safety and Support involving high-risk family violence situations.

- In partnership with Victim Services in New Brunswick, staff participated in Case Management training designed specifically for Victim Services workers.

Committee Participation

An important aspect of the work of Victim Services involves maintaining co-operative working relationships with other criminal justice and community agencies to co-ordinate case management and to effect positive long-term change for victims of crime. Staff participated in committees at various levels involving national, provincial, regional, divisional and community initiatives.

At the Federal/Provincial/Territorial level, the Provincial Manager participated on the FPT Victims of Crime Working Group.

Victim Services is represented on community and criminal justice based committees involving work in the area of family violence, sexual abuse, cultural and societal issues. These committees include:

- Victims of Family Violence Steering Committee
- Justice Options for Women who are Victims of Domestic Violence
- West Prince Committee on Family Violence
- Provincial Child Sexual Abuse Advisory Committee
- Steering Committee – *Victims of Family Violence Act*
- Homophobia Task Force
- Provincial Working Group on Human Trafficking
- World Elder Abuse Awareness Day Committee
- High-risk Offender Committee
- Planning Committee for Aboriginal Justice Forum

As part of the Community and Correctional Services Division, Victim Services staff were involved in a number of departmental and divisional initiatives including:

- Divisional Wellness Committee
- Divisional Training Committee
- Staff Recognition Committee
- Occupational Health and Safety Committee
- Case Management Policy Committee

Education and Training

Victim Services staff participated in various education and training initiatives including:

- Case Management Training for Victim Services Workers
- Symposium – Does Sparing the Victim Spoil the Trial?
- ODARA Risk Assessment Training
- Nurturing Hidden Resilience Across Cultures and Contexts
- Challenges and Changes in Criminal Justice – the PEI Situation
- Information Session on Safety Circles for Women in Abusive Situations
- Taking Stock – Workshop for Safer Communities
- Aboriginal Awareness

- Suicide Prevention
- Conflict Resolution
- Giving and Receiving Feedback
- Presentation by PEI Association of Newcomers to Canada
- *Freedom of Information and Privacy Act* Training

Public Education

Victim Services staff participate in opportunities to promote awareness and understanding of issues related to crime, victimization, victims' rights and available services. Presentations during the fiscal year 2007/2008 included:

- Protecting our Youth – Creating a Safer Community
- Workshops for Survivors of Residential School Abuse
- Aboriginal Justice Circle Keeper Workshop
- Victim Awareness Training
- Police Training on *Victims of Family Violence Act*
- Volunteer Training – PEI Rape and Sexual Assault Crisis Centre
- Training for Shelter Workers
- Atlantic Provinces Victim Services Meeting – Collaborative Approaches
- Catholic Family Services Bureau staff
- Kings County RCMP
- Educational Assistants – Department of Education

Objectives

Objectives for the 2008/2009 fiscal year include the following:

- Expand services to minority and multicultural groups

Strategies:

- strengthen linkages with Newcomers Association, aboriginal community, francophone community
- ensure access to interpreters and translators as required

- Participate in efforts to create a comprehensive response to address the needs of victims of domestic violence and sexual abuse

Strategies:

- assist in planning for family violence court
- assist in establishment of Sexual Assault Response Team at UPEI
- create an inventory of services for victims of sexual abuse
- complete a best practice review of services for male survivors of sexual abuse
- support utilization of safety circles in high risk domestic violence cases
- implement standardized risk assessment in family violence cases

- Assist in implementation of criminal code amendments designed to facilitate testimony of children and other vulnerable witnesses

Strategies:

- monitor utilization of testimonial aids
- participate in training on new federal legislation
- facilitate access to federal funding for video conferencing capability in PEI courthouses

Staffing

Victim Services Offices are located in Charlottetown and Summerside. Personnel as of March 31, 2008, include:

Provincial Manager	Susan Maynard
Victim Services Workers	Jean Profit Darlene Oatway Joy Coffin Ev Marshall Linda MacAulay Dina DesRoches Kellie Profitt
Admin Support	Dianna Cudmore Marya Drummond

Part IV

Criminal Injuries Compensation Program

Introduction

Criminal injuries compensation is the payment of money from public funds to compensate victims of crimes for pain and suffering and expenses resulting from injury or death caused by certain crimes. Criminal injuries compensation is a fund of last resort, such that other means of compensation or reimbursement are to be sought first.

Authority for Prince Edward Island's Criminal Injuries Compensation Program is contained in Part IV of the *Victims of Crime Act*, which was proclaimed in force September 30, 1989. Amendments to Part IV which came into effect August 7, 1999, were designed to further simplify and speed up the process for assessing compensation claims.

The *Victims of Crime Act* is not retroactive; criminal injuries compensation can only be awarded in respect of an injury or death resulting from a crime that occurred after September 30, 1989.

Values

Criminal injuries compensation is one means to take action on principle (b) from the Statement of Principles in the *Victims of Crime Act*, which states, "victims should receive prompt and fair financial redress for the harm they have suffered."

Summary of the Legislation

In general, a claim for criminal injuries compensation may arise in the event of injury or death by an act that occurred in Prince Edward Island, and that injury or death must have directly resulted from the commission of a criminal offence prescribed in the regulations under the *Victims of Crime Act*. The applicant need not be a resident of Prince Edward Island.

The term "injury" is specifically defined in the *Victims of Crime Act* to mean actual bodily harm, including emotional trauma or pregnancy resulting from sexual assault, and mental or nervous shock. If a person suffers only property damage or loss as a result of a prescribed crime, he or she is not eligible for criminal injuries compensation. It is not necessary that anyone be prosecuted or convicted for the crime, but an award may be delayed pending the outcome of the criminal process. A determination of guilt is conclusive evidence that an offence has been committed.

Eligible Applicants

The Attorney General may order criminal injuries compensation:

1) to or for the benefit of the victim;
2) to any person, in respect of financial loss suffered by or expenses incurred by that person as the result of the death or injury of the victim;

3) to any one or more of the dependants of the victim.

Compensable Losses

Compensable losses include:

1) reasonable expenses incurred or likely to be incurred as a result of the victim's injury or death;
2) financial losses resulting from total, partial or temporary disability affecting the victim's capacity for work;
3) financial loss to dependants resulting from the victim's death;
4) pain and suffering;
5) maintenance of a child born as a result of sexual assault;
6) financial loss incurred in respect of grief or sorrow as a result of the victim's death; and
7) other financial loss resulting from the victim's injury, and any other expense that, in the opinion of the minister or, in the case of a small claim, in the opinion of a designated person, it was reasonable to incur.

Maximum Award

The maximum amount payable to **all applicants** in respect of the injury or death of **one victim** is $15,000. The maximum amount payable to **all applicants** in respect of **one occurrence** (that is, one incident resulting in injury or death to more than one victim) is $30,000. The award cannot exceed these limits.

Volume of Applications

During the fiscal year 2007/2008, 34 new applications for criminal injuries compensation were filed. One hundred and six applications were carried over from the previous year. Thirty-four final decisions and three interim decisions were made in 2007/2008. A total of $102,351 was awarded in criminal injury compensation. The following statistical tables summarize the criminal injuries compensation program during 2007/2008:

Table II
Applications – Statistical Summary
April 1, 2007 to March 31, 2008

New applications filed	34
Applications carried over from last year	108
Variation applications	0
Appeals	0
Total	**142**
Decisions made:	
award denied	1
full awards granted	30
interim awards	3
reduced awards	3
variation	0
Total	**37**
Withdrawn applications	2
Files carried forward to next fiscal year	106

Table III

Categories of Victims
(Based on Final and Interim Awards)
April 1, 2007 to March 31, 2008

Types of Victims	Number
General	16
Other family abuse	3
Sexual abuse	12
Wife abuse	5
Total	**36**

Table IV

Crimes Involved in Final Awards Granted
April 1, 2007 to March 31, 2008

Criminal Code Section	Number of Awards
152 (invitation to sexual touching)	1
153 (sexual exploitation)	1
249 (dangerous operation of motor vehicle causing bodily harm)	1
266 (assault)	5
267 (assault with weapon/causing bodily harm)	10
268 (aggravated assault)	2
271 (sexual assault)	12
344 (robbery)	1
Total	**33**

Table V

Reasons for Reduced and/or Denied Awards
April 1, 2007 to March 31, 2008

Reason	Reduced	Denied
Crime not covered by regulations	0	0
Criminal offence not proven	0	1
Victim culpability/ contributory behaviour	2	0
Victim engaged in unlawful activity	1	0
Loss recovered from other sources	0	0
Total	**3**	**1**

Table VI

Compensation Ordered*
April 1, 2007 to March 31, 2008

Pain and suffering	$ 87,623
Expenses	$ 14,728
Total Awarded	**$102,351**

*Note: Compensation ordered in one fiscal year may be paid out in a different fiscal year (e.g., for dental expenses.

Table VII
Age and Gender of Victims
(Based on Final and Interim Awards)
April 1, 2007 to March 31, 2008

Age	**No. of Victims**
under 10	2
11-20	14
21-30	11
31-40	3
41-50	1
51-60	2
61-70	2
71 +	1
Total	**36**
Gender	
Female	23
Male	13
Total	**36**

Part V

Victim Assistance Fund

Victim Services Summary of Revenue and Expenditures

Revenue			
	Budget Amount	**Actual Year Ended March 31, 2008**	**Projects**
Revenue			
Victim Surcharge			
• federal offences	$45,000	$59,908	
• provincial offences	$190,000	$187,706	
Community Service Work Option	$0	$120	
Donations/honorarium	$0		
Restitution/civil suit reimbursement	$0	$5,405	
Victims of Crime Fund (Justice Canada)	$103,700	$94,665	$94,665*
Total Revenue	**$338,700**	**$347,804**	**$94,665**
Minus Project Revenue		$94,665	
		$253,139	

Note:

* Revenue was received from the Victims of Crime Fund, Justice Canada, in the amount of $94,665 for two projects: Victim Services Worker – Queens County
Victim Services Worker – Western Region

Expenditures			
	Budget Amount	**Actual Year Ended March 31, 2008**	**Projects**
Expenditures			
Administration	$11,500	$10,963	$1,178
Equipment	$5,000	$1,520	$382
Materials/supplies	$4,200	$2,793	$0
Professional/Contract Services	$1,500	$741	$0
Salaries/benefits	$519,000	$509,694	$100,377
Travel	$16,600	$17,200	$2,582
Criminal Injuries Compensation	$100,000	$99,646	$0
Victim Assistants Fees	$0	$770	$0
Total Expenditures	**$657,800**	**$643,327**	**$104,519**
Minus Project Expenditures		$104,519	
		$538,808	

Note:
Project expenditures were for the two Victim Services projects listed above.

Accounting Procedures:
All revenues and expenditures related to Victim Services are recorded in the accounts of the Province and included in the Public Accounts.